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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **APR 05 2013** ★
ISLAND OFFICE

Honorable Joanna Seybert
Honorable A. Kathleen Tomlinson
Plaintiff – Pro se

Ms. Barbara A Baumgarten
21 Chestnut Street
Centereach New York 11720
bbaumgarp@aol.com

(631) 522-6527

Baumgarten vs Town of Brookhaven

County of Suffolk etc all index case 12-cv-0171

Case dkts 12-cv-0941 related case 07-cv-539

Index case 04-cv3511

Reply -Declaration
HUMAN RIGHTS VIOLATIONS
Housing Discrimination

Constitutional Violations

Dear Honorable Joanna Seybert & A. Kathleen Tomlinson:

I would make my Objections clear against the Town of Brookhaven David H. Arntsen for the defendants etc all should be denied in all respects and we should proceed to jury trial Counsel Appointed to plaintiff Ms. Barbara A Baumgarten to seek damages.

I was wrongful incarcerated inmate year of 1991 1992 1993 1994 family court denial of "visitation case dkts 04-cv-3511 read collusion true facts of a true story that occurred against Ms. Barbara A Baumgarten and her two daughters who are African American interracial four grandchildren interracial Puerto Rican.

October 07—22 , 2009 due to the filing of the Town of Brookhaven case Brto 512-08 being wrongful filed in the New York State Unified court System the violations Eighth and Fourteenth Amendments were violated with Inhuman and Cruel treatment as so stated in the 90 million dollar lawsuit commenced the year of 2012 against the Town of Brookhaven and County of Suffolk police Department and the amended complaint filed 2013 on going clear pattern of neglect denial due process constitutional violations 1st—16th of Housing Discrimination Police Brutality physical suffered injuries Inhuman and Cruel treatment by the defendants Racism.

On April 04, 2013 at the NAN 15th Annual National Convention for Civil Rights the Honorable Chief Judge Jonathan Lippman, Chief Judge of the State of New York & Chief Judge of the Court of Appeals talked publicly about the changes that are needed with in the New York State Criminal Justice System wherefore innocent people have been harm and never been convicted of any crime the on going

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pattern how innocent people Constitutional Civil Rights have been violated and how their is Corruption Fraud Mistakes Errors Facts Law how their is racism against black people white people interracial families through out the State of New York how innocent people are being denied counsel and cannot afford bail on misdemeanors charges wherefore they were not charged with a crime.

This applies to the Town of Brookhaven case BRTO 512-08 the defendants all engaged in official misconduct causing plaintiff to be wrongful incarceration six separate arrests emotional physical injuries sustained and charging the plaintiff criminal when they all knew it was civil code violation s case after the defendants had no legal jurisdiction to proceed with a criminal jury trial within the New York State Unified Court System and causing Human Rights housing discrimination on going pattern from 2004—2007 –2013 and totally destroying the plaintiff s home property to further causing collusion conspiracy to steal sell trade the plaintiff s land lots home 2011.

This all applies to my four 1983 Under Color of law Federal civil rights cases filed against the County of Suffolk etc all defendants Town of Brookhaven has misused the New York State Criminal Court system to file Unconstitutional code violations after breaking entering on private property No warrants No 72 hour notice No probable cause causing six arrests beatings assaults destroying private personal property furniture destroying Religious Statues which violates the Fourteenth Amendment 1st Amendment s prohibiting searches without probable cause this has been a Hate crime done against the plaintiffs home property daughters grandchildren and any and all personal property that was destroyed on February 21, 28, 29, 2012 unlawful eviction s done by Suffolk County Sheriffs Department lying to a United States Federal Marshall Ralph violating Title 18 Section 1001.

The reply declaration is submitted to further support to proceed to a speedy jury trial and counsel be assign to protect and represent plaintiff Baumgarten as there is a clear pattern of Constitutional Civil Rights violations violated against the plaintiff her family their home property as their has been severe retaliation done against plaintiff from the original 1983 Under Color of law Civil Rights cases commenced the ACLU is in engaged in filing lawsuit Hurrell-Harring vs State of New York Index case 8866-07 the purpose of the lawsuit is to force the State to permanently change the public defense system to prevent further injustices to indigent defendants plaintiff has

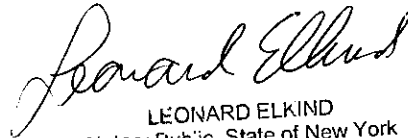
suffered beyond irreparable harm since 1990—2013 the Baumgarten are true Survivors of a broken judicial system Survivor Domestic Violence Survivor Police Brutality County of Suffolk.

Plaintiff Baumgarten is a witness to testify to the Inhuman and Cruelty treatment that was done against her, family racism remarks destroying property ownership residence New York State Constitutional Civil Rights Violations 1st -16th .

It is respectfully submitted to the court that the plaintiff be GRANTED a law firm to proceed to a speedy jury trial against the defendants in all four 1983 Under Color of Law High Profile Civil Rights Cases that are active and been denied due process to be heard. This has been a totally grave injustice done against the plaintiff her two daughter four grandchildren their Safe Haven Home Property personal property we the Baumgarten 's being homeless indigent but being brave to Continue to fight for JUSTICE their will be No peace NAN No Justice No, PEACE everyone deserves to be heard.

Yours Truly,
Plaintiff ---Prose

Ms. Barbara A Baumgarten-----
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LEONARD ELKIND
Notary Public, State of New York
Qualified in Suffolk County
Reg. No. 01EL6142091
My Commission Expires Mar. 13, 2014

✓ Dated and Notarized this day of April 5, 2013-----

✓ CC: President Barack Obama Washington D. C.

✓ Eric Holder United States Federal justice Department

✓ National Network President & Founder Rev. Al Sharpton

✓ Reverend Jesse L. Jackson, Sr RAINBOW PUSH COALITION

✓ Yeshi Abebe Advisor to the Secretary U. S. Department of

✓ Agriculture % President Barack Obama Washington D. C.

✓ New York State Human Rights Division

✓ New York State American Civil Liberties Union

✓ Calvin Smyre Chairman Emeritus, Democratic Caucus

✓ National Action Network, Inc Michael A. Hardy, Esq

✓ Reverend Pastor Rev Angel Manuel Falcon

✓ Attorney at law William Baier

✓ Attorney at law David H. Arntsen defendants



RJM:KLP:arm:sam
DJ 144-52-0
WH 07032012-4

Criminal Section - PHB
950 Pennsylvania Ave, NW
Washington DC 20530

AUG 08 2012

Ms. Barbara B. Ann Baumgarten
Via Electronic Mail
bbaumgarp@aol.com

Dear Ms. Baumgarten:

This responds to your letter, dated March 22, 2012, to President Barack Obama, in which you allege Americans with Disabilities Act (ADA) violations and that the Suffolk County Sheriff's Department illegally entered your home, damaged and stole your property. We apologize for our delay in responding to your letter.

The Criminal Section of the Civil Rights Division enforces the federal criminal civil rights statutes pertaining to incidents of official misconduct and violent bias-motivated crimes.

The information you provided regarding these incidents is insufficient for us to determine the existence of possible federal criminal civil rights violations. We will consider the matter further if you provide additional information concerning the circumstances involved in these incidents. You should include the dates of the incidents; the sequence of events leading up to and including the incidents; a description or photographs of any injuries sustained; any medical records and police reports; and the names of possible witnesses. You can forward this information to:

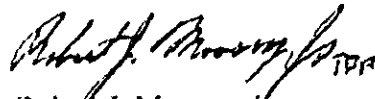
United States Department of Justice
Civil Rights Division
Criminal Section
Patrick Henry Building
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

For your information, complaints which fall under Titles I, II, and III of the ADA are handled by the Disability Rights Section (DRS) of the Civil Rights Division. You may wish to write directly to the Disability Rights Section with complaints of that nature:

United States Department of Justice
Civil Rights Division
Disability Rights Section
New York Avenue
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

We hope this information is helpful. Please do not hesitate to contact this office if we may be of assistance with this, or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Moossy, Jr.", with a stylized flourish at the end.

Robert J. Moossy, Jr.
Acting Section Chief
Criminal Section

To: casework <casework@correspondence.whitehouse.gov>

Subject: Alleging that the Suffolk County Sheriff's Department illegally entered her home, then stole and damaged her property. Advising that she has experienced an ongoing patter (Intranet Quorum IMA00918340)

Attachments: WF2526883.pdf (60K), IQFormatFile.txt (181)

Please do not reply to this email address; it is used to forward the attached response and is not monitored.